

PATENT

22 FEB 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HERSCOVICI ET AL.

Serial No.: **09/857,008**

Filed: **MAY 30, 2001**

Title: **NOVEL NUCLEIC ACID
TRANSFERRING AGENTS,
COMPOSITIONS CONTAINING
THEM AND USES**



Examiner: NOT ASSIGNED

Art Unit: NOT ASSIGNED

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on

February 11, 2002

Date of Deposit

Signature

Dolly Papadakis

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
Washington, D.C. 20231

Attention: Ms. Christine S. Washington

Dear Ms. Washington:

On January 25, 2002, you issued a Notice of Defective Response (Notice) in connection with the above-identified Application. In the Notice, you asserted that the following must be submitted in order to complete the requirements for acceptance under 35 U.S.C. § 371:

- (a) an executed oath or declaration;
- (b) a substitute paper copy or compact disc of the "Sequence Listing"; and
- (c) an amendment directing entry of the substitute "Sequence Listing" into the Specification of the above-identified Application.

Kindly note that our records show that an executed declaration filed with the USPTO on 23 October 2001. Hence, in response to this Notice, we submit herewith the following:

- (a) a paper copy of a substitute "Sequence Listing";
- (b) a diskette containing a computer readable form of the substitute "Sequence Listing";
- (c) a Statement pursuant to 37 CFR 1.821;
- (d) a preliminary amendment directing entry of the substitute "Sequence Listing" into the specification;
- (e) a copy of the executed Declaration for the above-identified Application that was filed with the United States Patent and Trademark Office on 23 October 2001;
- (f) a copy of the postcard that indicates the Declaration was filed with the USPTO, and the USPTO's acknowledgement of receipt of the Declaration on 23 October 2001; and
- (g) a copy of the Notice.

William C. Coppola, Reg. No. 41,080
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
2000 North 1st Street
Bridgewater, New Jersey 08807-0800
Aventis Docket No. ST98046 US PC1
February 11, 2002

10 Rev.

PATENT
22 FEB 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Herscovici et al.

Serial No.: 09/857,008

I.A. Filing Date: December 2, 1999

Title: **NOVEL NUCLEIC ACID
TRANSFERRING AGENTS,
COMPOSITIONS CONTAINING
THEM AND USES**

Examiner:

Art Unit:

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on

October 23, 2001
Date of Deposit

S. Kapadia
Signature

Express Mail No. EL 816576129 US

REPLY TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
FILED UNDER 37 C.F.R. 1.53(b)

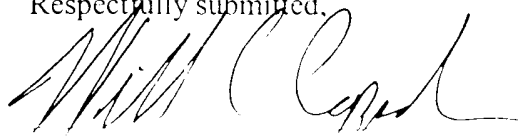
Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the "NOTIFICATION OF MISSING PARTS" which indicates that the oath or declaration is missing, and in response to the Notification to comply with sequence requirements, which indicates that the sequence listing does not comply with the requirements of 37 CFR 1.822 and/or 1.832, both of which were issued on July 24, 2001, Applicants submit herewith an executed Declaration for the present application, a Sequence Listing, both hard copy and in electronic form, and a copy of the Notice.

Please charge the \$130.00 fee involved to Deposit Account No. 18-1982. The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Account No. 18-1982. Two duplicate copies of this sheet are enclosed.

Respectfully submitted,



Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone: (908) 231-4854
Teletax: (908) 231-2626

Docket No. ST98046PCT US

10 RPT

22 FEB 2002

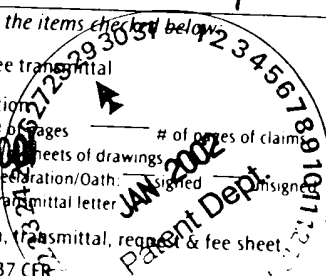


APPLICANTS <i>Hesscovici et al.</i>	SERIAL NO. <i>09/857,008</i>	DATE <i>10/22/01</i>
DOCKET NO. <i>ST 98046 US PCT</i>	ATTY <i>NCC</i>	
TITLE OF INVENTION <i>Novel Nucleic Acid Transferring Agents, Compositions Containing Them and Uses</i>		

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Affidavit/Declaration, 37 CFR | <input type="checkbox"/> Maintenance fee transmittal |
| <input type="checkbox"/> Amendment, 37 CFR | <input type="checkbox"/> Patent Application |
| <input type="checkbox"/> Appeal notice/Appeal Brief | <input type="checkbox"/> PCT Application, Transmittal, request & fee sheet |
| <input type="checkbox"/> Assignment & Cover Sheet | <input type="checkbox"/> Petition under 37 CFR |
| <input type="checkbox"/> Cert. of correction request | <input type="checkbox"/> Power of attorney |
| <input type="checkbox"/> Cert. of Exp. Mailing, Date: _____ | <input type="checkbox"/> Priority claim |
| <input type="checkbox"/> No. _____ | <input type="checkbox"/> Reply, 37 CFR |
| <input type="checkbox"/> Charge deposit account, in duplicate | <input checked="" type="checkbox"/> Other <i>Replies Missing Parts Sequence</i> |
| <input type="checkbox"/> Check \$ _____ for _____ | <i>Library (Hard copy + diskette)</i> |
| <input type="checkbox"/> Demand for PCT examination | <i>and late declaration, Notice</i> |
| <input checked="" type="checkbox"/> Extension of time petition <i>1 month</i> | PTO Date Stamp and Return |
| <input type="checkbox"/> IDS (information disclosure statement) | |
| PTO Form 1449: # of pages enc. _____ | |
| # of reference enc. _____ | |
| <input type="checkbox"/> Issue fee transmittal & advance order | |

JC07 Rec'd PCT/PTO 23 OCT 2001

COMPUTER
ENTERED
11/30/01



UNITED STATES PATENT AND TRADEMARK OFFICE

19 FEB 2002

22 FEB 2002

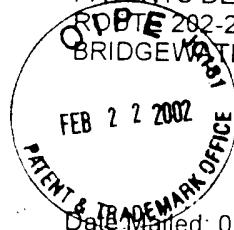
Communications Policies, Box 101
United States Patent and Trademark Office
Washington, D.C. 20503
www.uspto.gov

U.S. APPLICATION NUMBER NO. 09/857,008	FIRST NAME OF APPLICANT Jean Hascovici	ATTY DOCKET NO. ST98046 US PCT
INTERNATIONAL APPLICATION NO. PCT/FR99/02995		1A FILING DATE 12/02/1999
PRIORITY DATE		

005487

AVENTIS PHARMACEUTICALS, INC.
PATENTS DEPARTMENT

282-206, P.O. BOX 6800
BRIDGEWATER, NJ 08807-0800



Date Mailed: 01/25/2002

CONFIRMATION NO. 9262

371 FORMALITIES LETTER



OC000000007320933

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

Prepare Reply - 2/11/02	
ACTION DUE	Reply Due - 2/25/02
DUE DATE	2/25/02
DKTD BY	Jes 2/8/02
ATTY	WCC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - The paper copy or compact disc of the "Sequence Listing" is not included in the application.

inclusion of the sequence listing in the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.86, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity.

- \$130 Late oath or declaration Surcharge.

- Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
09/857,008	PCT/FR99/02995	ST98046 US PCT